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IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	CASE NO. 2:12-CR-00114 LKK
)	
Plaintiff,)	ORDER EXCLUDING TIME
)	UNDER THE SPEEDY TRIAL ACT
v.)	
)	[18 U.S.C. § 3161(h)]
CLARO GARCIA SOMERA, JR.)	
)	
Defendant.)	
)	
)	

On January 23, 2013, the parties appeared before the Court for a status hearing. The Court relieved Erin Radekin, Esq., as appointed counsel of record and substituted in Richard Dudek, Esq., as retained counsel of record for the defendant Claro Garcia Somera, Jr. After the Court granted defendant's request that Mr. Dudek be substituted as his counsel, Mr. Dudek requested the matter be continued to March 12, 2013, for a further status hearing and stated that he needed the time between January 23, 2013 and March 12, 2013 to review discovery and discuss the matter with his client. The United States noted that discovery consisted of approximately 200 pages of documents as well as several audio recordings, and did not oppose the request for a continuance with an exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161.


For the foregoing reasons, the Court finds that trial delay and exclusion of time is necessary to provide defense counsel reasonable time to prepare his client's defense taking into account due

1 diligence. The Court further finds that the ends of justice to be served by granting the requested
2 continuance outweigh the best interests of the public and the defendant in a speedy trial.

3 Accordingly, IT IS HEREBY ORDERED that, the time period from January 23, 2013, to March
4 12, 2013, is EXCLUDED under the Speedy Trial Act, 18 U.S.C. §3161(h)(7)(A) and T4 (18 U.S.C.
5 § 3161(h)(7)(B)(iv)), due to the need to provide defense counsel with the reasonable time to prepare.

6 IT IS SO ORDERED.

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8 DATED: February 4, 2013

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10 LAWRENCE K. KARLTON
11 SENIOR JUDGE
12 UNITED STATES DISTRICT COURT
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